

Application No.: 10/820,389

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Docket No.: 542262000200

DEC 04 2006**REMARKS**

Claims 1-5, 9-14, 18-22, and 24-27 stand rejected and claims 6-8, 15-17, and 23 are objected to in the present Office Action. In this response, claims 1, 11, 21, and 24 are amended and claims 5, 7, 13-15, and 23 are canceled. Claims 1-4, 6, 8-12, 16-22, and 24-27 are pending in the present application. Applicant respectfully requests reconsideration of the present application in view of the foregoing remarks.

Objections to claims 6-8, 15-17, and 23

In Section 4 of the Office Action, claims 6-8, 15-17, and 23 are objected to as being dependent upon a rejected base claim, but which would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for suggesting claim amendment for allowance. As per the Examiner's suggestion, independent claim 1 is amended to include the limitations of claim 7 and intervening claim 5. Independent claim 11 is amended to include the limitations of claim 15 and intervening claims 13-14. Independent claim 21 is amended to include the limitations of claim 23. Independent claim 24 is amended to include the limitation of "the annular chamber having an inner wall and an outer wall," as recited in claim 15. The Examiner states that "the prior art of record does not disclose or clearly suggest an inclination measurement and display device comprising an annular chamber."

Accordingly, Applicant respectfully submits that claims 1, 11, 21, and 24 are in condition for allowance. It is further respectfully submitted that claims 2-4, 6, 8-10, 12, 16-20, 22, and 25-27, which depend from one of claims 1, 11, 21, or 24, are also in condition for allowance for at least the same reasons as for claims 1, 11, 21, and 24.

Rejection of claims 1-5, 9-14, 18-22, and 24-27

In Section 2 of the Office Action, claims 1-5, 9-10, and 24-27 are rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 3,992,951 (Erspamer et al.) in view of U.S.

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Patent No. 4,912,662 (Butler et al.). In Section 3 of the Office Action, claims 1-4, 9-14, 18-22, and 24-27 are rejected under 35 USC 103(a) as being unpatentable over U.S. Patent No. 3,290,786 (Parkin) in view of Butler et al.


Applicant respectfully submits that rejection of claims 1-5, 9-14, 18-22, and 24-27 over Erspamer et al., Butler et al., and/or Parkin has been overcome by the amendment discussed above.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 542262000200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 4, 2006

Respectfully submitted,

By 

Katherine D. Lee

Registration No.: 44,865

MORRISON & FOERSTER LLP

425 Market Street

San Francisco, California 94105-2482

(415) 268-6983

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